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BAUMGARTEN AND MICHAEL EDWARDS

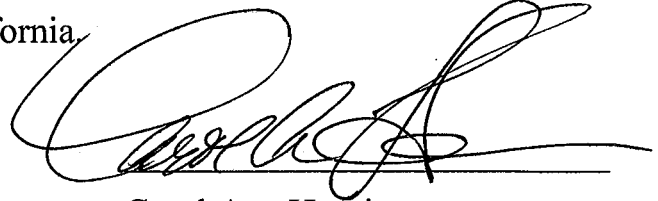
**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

PRESTON SMITH, an individual;	) Case No. CV10-8840 VBF (AGRx)
)
Plaintiff,	) DECLARATION OF CAROL ANN
	) HUMISTON IN SUPPORT OF
v.	) MOTION FOR SUMMARY
	) JUDGMENT, OR IN THE
CITY OF BURBANK, et al.	) ALTERNATIVE, SUMMARY
	) ADJUDICATION OF ISSUES BY
Defendant.	) THE CITY OF BURBANK,
	) BURBANK POLICE
	) DEPARTMENT, OFFICER ADAM
	) BAUMGARTEN, AND OFFICER
	) MICHAEL EDWARDS
)
	) DATE: MAY 16, 2011
	) TIME: 1:30 P.M.
	) CTRM: 9
)

1 I, Carol Ann Humiston, declare that:

- 2 1. The facts stated herein are personally-known to me and I have first-hand
3 knowledge thereof. If called upon to do so, I would and could competently
4 testify hereto under oath.
- 5 2. Attached hereto as Exhibits 1 and 2 are true and correct copies of the
6 Misdemeanor Complaint and Misdemeanor Advisement of Rights, Wavier,
7 and Plea Form, both in Case No. 9BR01353.
- 8 3. Attached hereto as Exhibit 3 is a true and correct copy of the transcript of
9 proceedings on April 29, 2009, in Case No. 9BR01353.

10 I declare under penalty of perjury under the laws of the United States of
11 America that the foregoing is true and correct and executed this 18th day of
12 April, 2011, at Burbank, California.

13 

14 Carol Ann Humiston